

REMARKS

Applicants would like to thank the Examiner for the thorough consideration given the present application. Claims 1-4 and 7-17 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

ALLOWABLE SUBJECT MATTER

It is gratefully acknowledged that the Examiner considers the subject matter of the claims 1-4 and 7-17 as being allowable if amended to overcome the rejections under 35 USC §112, second paragraph and 35 USC §101. While not conceding the appropriateness of the Examiner's rejections, the claims have been amended to overcome these rejections.

Accordingly, all the claims are not considered to be allowable.

REJECTION UNDER 35 USC §101

Claims 14-17 stand rejected under 35 USC §101 as being directed to non-statutory subject matter. This rejection is respectfully traversed.

The Examiner indicates in the final sentence regarding this rejection that the recitation of a step of the ATP server executing a supply/demand configuration would provide a non-trivial application of technology in the body of the claim. Applicants have now accomplished this in claim 14 by way of the present amendment. Accordingly, Applicants submit that this rejection is overcome.

REJECTION UNDER 35 USC §112

Claims 1-4 and 7-17 stand rejected under 35 USC §112, second paragraph as being indefinite. This rejection is respectively traversed.

First, the Examiner states that claim 1 has a scope which is not clear whether the actual form of the various modules are intended to be considered a positive recitation of a step. By way of the present amendment, Applicants have reworded the description of the modules so that the steps are positively stated. Accordingly, this part of the rejection is believed to be overcome.

The Examiner objected to claim 1 due to the reference to “the basic initial data”. By way of the present amendment, Applicants have removed “the” and have also be pointed out that this data is related to the commodity ordering information. As indicated on page 6 of the specification this data includes the commodity category, commodity description, customer PN#, etc. Thus, this data is obtained by the BOM module so that the ERP server can provide information according to the availability of products, etc. Thus, this data is related to the information which is transmitted, but not necessarily a part thereof. Accordingly, Applicants submit that the present wording is definite.

The Examiner points out a lack of antecedent basis in claim 4. This has now been corrected by utilizing “a”.

Claims 7-11 have now been amended to properly depend from claim 1, thus overcoming this part of the rejection.

The Examiner suggested a different terminology for claim 12. Applicants have adopted this language.

In regard to claim 4, line 6, the Examiner suggests using “includes”. This has now been adopted.

The Examiner objected to claim 14 as having an unclear scope for the same reasons cited above in regard to claim 1. Applicants have amended this claim in the same manner.

The Examiner points out that the reference to “the supply/demand information” at line 19 lacks antecedent basis. Applicants have now removed “the”.

The Examiner points out the phrase “an available to promise (ATP) server” that should instead refer to “the”. Although the Examiner did not indicate a line number for this phrase, Applicants have reviewed the claim and have found four locations of this element in addition to the one added in the new paragraph. Applicants have now utilized “the” in all but the first instance and have used “an” in that instance. Accordingly, this part of the rejection is believed to be overcome.

The Examiner points out that a step should be added concerning the ATP server executing a supply/demand configuration. This has now been added to claim 14.

In regard to claim 15, the Examiner has suggested that “request” should be changed to “demand”, in line 1. This has now been accomplished.

In regard to claim 17, the dependency of the claim has been changed to claim 15 in order to provide antecedent basis. Thus, all of the instances of indefinite language suggested by the Examiner have now been overcome in the manner suggested by the Examiner. Accordingly, this rejection is believed to be overcome.

CONCLUSION

In view of the above remarks, it is believed that the claims are now definite and constitute statutory subject matter. In view of this, reconsideration of the rejections and allowance of all the claims is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Robert F. Gnuse, Registration No. 27,295, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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